

# DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THERMALLY AND MECHANICALLY STABLE LOW-COST HIGH THERMAL  
CONDUCTIVITY STRUCTURE FOR SINGLE-MODE FIBER COUPLING TO LASER DIODE

(check  
one)



is attached hereto.



was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

(Number)

(Country)

(Day/Month/Year Filed)

Priority Claimed



Yes



No

(Number)

(Country)

(Day/Month/Year Filed)



Yes



No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/236,934</u>	<u>September 28, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

Direct all telephone calls to R. MICHAEL ANANIAN at (650) 494-8700.

Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

File No. A-69888RMA/JWC

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of  
sole inventor:

DAVID M. ROSSI

Inventor's signature:

David M. Rossi

Date:

06/06/01

Residence:

San Francisco, California

Citizenship:

United States of America

Post Office Address:

621 29th Avenue

San Francisco, California 94121

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**POWER OF ATTORNEY BY ASSIGNEE**

The undersigned assignee of the entire interest in application for letters patent entitled: THERMALLY AND MECHANICALLY STABLE LOW-COST HIGH THERMAL CONDUCTIVITY STRUCTURE FOR SINGLE-MODE FIBER COUPLING TO LASER DIODE and having the named inventor(s): David M. ROSSI, hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 3.71:

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; Maria S. Swiatek, Reg. No. 37,244; Todd A. Lorenz, Reg. No. 39,754; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that certain Assignment executed by David M. Rossi in favor of POWERNETIX, INC. on November 17, 2000 and recorded on April 18, 2001 with the U.S. Patent and Trademark Office in Reel 011489, Frames 0410 through 0412 that evidences the placement of title in Assignee.

Direct all telephone calls to R. MICHAEL ANANIAN at (650) 494-8700.

Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

Date: June 5, 2001

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Jacy R. Titus

(typed name)

Title: \_\_\_\_\_

President & Chief Executive Officer

Assignee: \_\_\_\_\_

POWERNETIX, INC.

Address: \_\_\_\_\_

286 Sobrante Way, Unit P.

Sunnyvale, California 94086

## ASSIGNMENT

WHEREAS, DAVID M. ROSSI, of San Francisco, California has invented certain new and useful improvements disclosed in U.S. Provisional Application Serial No. 60/236,934 filed September 28, 2000 entitled **THERMALLY AND MECHANICALLY STABLE LOW COST HIGH THERMAL CONDUCTIVITY STRUCTURE FOR SINGLE-MODE FIBER COUPLING TO LASER DIODE**; and

WHEREAS, **POWERNETIX, INC.**, a corporation of the State of Delaware having a place of business at 286 Sobrante Way Unit P, Sunnyvale, California 94086, hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Inventor, and in and to any and all utility patent applications, patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventor to have been received in full from said Assignee:

1. Said Inventor does hereby sell, assign, transfer and convey unto said Assignee, the entire right, title and interest (a) in and to said application and said invention and any subsequent applications claiming the benefit of said provisional application; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any U.S. utility application and/or international application which claims the benefit of priority to said U.S. Provisional application, whether an original application or a division, substitution, or continuation of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.
2. Said Inventor does hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt review and production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting U.S. utility patent applications and/or international applications claiming the benefit of priority to said U.S. provisional application and for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority

contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventor in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventor, his heirs, legal representatives and assigns.

4. Said Inventor hereby warrants and represents that he has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventor has executed and delivered this instrument to said Assignee on the dates set forth below:

11/17/00  
Date

David M. Rossi  
DAVID M. ROSSI

State of California )  
County of Santa Clara )

On November 28, 2000 before me, Jennifer L. Long, Notary Public of the State of California, personally appeared DAVID M. ROSSI ~~personally known to me~~ or who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.  
Signature Jennifer L. Long



(Seal)